

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CURTIS W. JOHNSON,

Plaintiff,

v.

KEVIN A. CARR, et al.

Defendants.

ORDER

Case No. 19-cv-167-jdp

This case was closed after the court did not receive plaintiff's \$1.62 initial partial filing fee payment. Now, plaintiff has filed a second letter requesting an order directing his institution's business office to take the \$1.62 initial partial filing fee from his release account.

Pursuant to 28 U.S.C. § 1915(b)(1), prison officials are required to use a prisoner's release account to satisfy an initial partial payment if no other funds are available. *Carter v. Bennett*, 399 F. Supp. 2d 936, 936-37 (W.D. Wis. 2005). Additionally, the ICE report plaintiff filed with his letter notes that plaintiff was advised to follow the directions he was given so his filing fee can be processed and sent. Plaintiff should follow these directions and provide a copy of this order to prison officials to ensure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff Curtis W. Johnson may have until June 25, 2019 to submit a check or money order made payable to the clerk of court in the amount of \$1.62 as the initial partial payment assessed in this case. If plaintiff complies with this deadline,

plaintiff's case will be reopened and screened on the merits pursuant to 28 U.S.C. § 1915(e)(2).

Otherwise, this case will remain closed.

Entered this 4th day of June, 2019.

BY THE COURT:

/s/

PETER OPPENEER
Magistrate Judge